

Bylaws for
**THE CENTRAL WEST AUSTIN COMBINED NEIGHBORHOOD PLAN
CONTACT TEAM**

Adopted and effective on March 31, 2011

SECTION I

Purpose

The Central West Austin Combined Neighborhood Plan Contact Team:

- (1) shall facilitate the implementation of the Central West Austin Combined Neighborhood Plan (CWACNP) as it applies to the Central West Austin Combined Neighborhood Planning Area;
- (2) shall review and make recommendations on all proposed plan amendments to the adopted Central West Austin Combined Neighborhood Plan (CWACNP);
- (3) shall be a separate body apart from any other existing or future neighborhood association, and shall coordinate with any neighborhood association having jurisdiction concerning any request for a variance or zoning change, as appropriate; and
- (4) may decide to initiate a plan amendment when appropriate.

SECTION II

Boundaries

The boundaries of the Central West Austin Combined Neighborhood Planning Area are as follows, with MoPac being the eastern boundary of the West Austin Neighborhood Group Planning Area and the western boundary of the Windsor Road Planning Area:

North Boundary: 35th Street and 38th Street,

South Boundary: Town Lake/Lady Bird Lake/Colorado River (west of MoPac) and 24th Street (east of Mopac),

East Boundary: Lamar Boulevard (north of 24th Street) and MoPac (south of Windsor Road), and

West Boundary: Town Lake/Lady Bird Lake/Colorado River.

SECTION III

Membership

A. Eligibility for Contact Team Members. The Central West Austin Combined Neighborhood Plan Contact Team (NPCT) shall to the greatest extent practicable include at least one representative from each of the following groups within the Central West Austin Combined Neighborhood Planning Area:

- (1) property owners;
- (2) residential renters;
- (3) business owners; and

(4) neighborhood organization members owning or renting property within the Central West Austin Combined Neighborhood Planning Area.

B. Membership Categories. Membership in the Central West Austin Combined NPCT shall consist of NPCT General Members and NPCT Executive Committee Members:

(1) NPCT General Members shall consist of those people meeting the qualifications in Section III(A) who have not lost their eligibility, thereby qualifying as NPCT General Members in good standing.

(2) NPCT Executive Committee Members shall consist of NPCT General Members who have been elected to the NPCT Executive Committee status by the NPCT General Members who have not lost their eligibility, thereby qualifying as NPCT Executive Committee Members in good standing.

C. Composition of NPCT Executive Committee. The Executive Committee of the Central West Austin Combined Neighborhood Plan Contact Team (NPCT) shall consist of thirteen individuals as follows:

(1) Two residential property owners holding homestead exemptions from the WANG Planning Area;

(2) Two residential property owners holding homestead exemptions from the Windsor Road Planning Area;

(3) One business owner within the Central West Austin Combined Neighborhood Planning Area;

(4) One residential renter within the Central West Austin Combined Neighborhood Planning Area;

(5) Two board members or officers from each of the following neighborhood associations: West Austin Neighborhood Group (WANG), Bryker Woods Neighborhood Association (BWNA) and Pemberton Heights Neighborhood Association (PHNA); and

(6) One property owner within the Central West Austin Combined Neighborhood Planning Area.

D. Election of NPCT Executive Committee. The initial composition of the NPCT Executive Committee shall be elected at the Bylaw Adoption meeting on March 31, 2011, and is listed at Addendum A of these Bylaws. At the first meeting only, anyone meeting the requirements of Section III(A) is eligible to vote for the initial composition of the NPCT Executive Committee. The current membership of the NPCT Executive Committee is listed at Addendum B, shall be updated yearly by the secretary, and shall be submitted annually to the City of Austin Planning and Development Review Department along with contact information and terms of office for any officers.

(1) NPCT Executive Committee terms shall be two years beginning at the Annual Meeting when an election is held every other year, beginning in 2012. Current NPCT Executive Committee members shall be NPCT General Members in good standing, and may be re-elected to serve consecutive terms. The NPCT Executive Committee members shall hold office until their successors are elected and qualified in accordance with these

Bylaws and such other rules and procedures adopted by the NPCT Executive Committee. At each Annual Meeting when an election is held, the NPCT General Members in good standing shall elect the NPCT Executive Committee from a list of NPCT General Members nominated by the NPCT Executive Committee. Other nominations may be made in writing if signed by at least fifteen (15) NPCT General Members and delivered to the Secretary at least two weeks before the Annual Meeting, and these nominations shall be presented to the NPCT General Members at the Annual Meeting. Any person interested in serving on the NPCT Executive Committee is encouraged to contact the Chair of the NPCT Executive Committee at least two weeks before the Annual Meeting. No nominations from the floor shall be accepted.

(2) Elections of the NPCT Executive Committee members shall be conducted for each of the NPCT Executive Committee categories (listed in Section III C1-6). For each category, the NPCT Executive Committee member(s) shall be elected by a majority vote of the NPCT General Members present at the Annual Meeting to select the top vote recipient(s) in each category. In the event of a tie vote, the decision shall be by lot in such a manner as may be determined by the NPCT General Members present at the Annual Meeting.

(3) Elections to replace NPCT Executive Committee members who have become unable or unwilling to serve shall be held within 90 days after notification is received by the NPCT Executive Committee. When there is a vacancy on the NPCT Executive Committee, a majority of the voting NPCT Executive Committee members serving at the time of an election shall elect the replacement from a list of no more than 3 nominees provided by the NPCT Executive Committee members serving at the time of the election.

E. Agreement to Support Neighborhood Plan. By joining, NPCT General Members agree to abide by the Bylaws herein, and agree to support the implementation of the Central West Austin Combined Neighborhood Plan and any amendments thereto.

F. Communication with the Public and the Applicant. NPCT Executive Committee members may not publicly speak or communicate in their capacity as an NPCT Executive Committee member outside an NPCT Meeting on a matter which is subject to the Purposes set out in Section I without first having such communication approved by the NPCT Executive Committee.

G. Rights of NPCT General Members. Only NPCT General Members in good standing may be elected to the NPCT Executive Committee or vote to elect NPCT Executive Committee members. Each NPCT General Member shall be provided a copy of or access to the adopted CWACNP Bylaws.

SECTION IV

Meetings

A. Agenda. An agenda for each meeting shall be prepared by the Chair in consultation with the other NPCT Officers and NPCT Executive Committee members. Any NPCT Executive Committee member can place an item on the agenda for discussion, if such item is given to the Chair ten (10) days prior to the meeting. NPCT Executive Committee members not meeting this prior notice requirement may discuss any item in New Business. In addition, an NPCT General Member may request that an item be

placed on the agenda for a meeting for discussion if requested in writing and delivered to the Chair at least two weeks before the meeting.

B. Quorum. A minimum of seven (7) NPCT Executive Committee members in good standing including one Officer shall constitute a quorum. Any act of a majority of the NPCT Executive Committee members present at any meeting and constituting a quorum shall be the act of the NPCT.

C. Voting and Decision Making. Decisions of the Central West Austin Combined Neighborhood Plan Contact Team shall be made by the NPCT Executive Committee. NPCT Executive Committee members must be present to cast votes. Proxy voting is prohibited. All matters shall be decided by the affirmative vote of a majority of the NPCT Executive Committee members present in person and voting.

D. Meeting Records. Minutes for every meeting shall be recorded and maintained by the Secretary.

E. Regular Meetings. Regular meetings shall be open to the public and held on a quarterly basis when needed as determined by the Officers of the NPCT at 7 p.m. on the last Monday in the months of January, April, July, and October. Regular meetings may also be called as required when there is proposed neighborhood plan amendment application submitted to the City of Austin. The regular location of the meetings will be at _____ or at such other place identified by the Chair in the Agenda if the regular location for meetings is not available. Community stakeholders are invited to participate in discussions of agenda items under direction of the Chair, but only NPCT Executive Committee members are eligible to make decisions or take action.

In connection with any NPCT Executive Committee meeting that is called to initiate a recommendation in a land use matter or Neighborhood Plan Amendment, the NPCT Executive Committee may collect facts, receive proposals from an applicant, obtain community input, and to register contact information from interested parties. However, zoning changes are not to be addressed by the NPCT Executive Committee, but are instead addressed by the appropriate neighborhood association. The Secretary shall collect contact information from interested parties attending the hearing.

Informal discussion with project stakeholders is encouraged.

F. Special Called Meetings. Special Called Meetings may be called by four (4) NPCT Executive Committee members, one of whom must be an Officer. Special Meetings are also open to the public. Community stakeholders are invited to participate in discussions of agenda items under direction of the Chair, but only NPCT Executive Committee members are eligible to make decisions or take action.

G. Notice of Meeting. A notice giving the date, time, place, and agenda of each Regular Meeting or Special Called Meeting of the NPCT Executive Committee shall be given by the Chair or the City of Austin's noticing department 10 days prior to the meeting if by electronic means or hand delivery to at least the NPCT Executive Committee members in good standing, and 12 days prior if deposited in U.S. mail. In addition to any notice requirements under City Code for the City of Austin's noticing department for community meetings on a proposed neighborhood plan amendments, the City of Austin's

noticing department shall also provide notice of any Regular Meeting or Special Meeting to:

- 1) all NPCT Executive Committee members in good standing who have provided e-mail addresses for the purpose of receiving notices; and
- 2) all NPCT General Members in good standing who have provided e-mail addresses for the purpose of receiving notices.

All meetings will be publicized in the neighborhood using whatever reasonable means that are available, for example, but not limited to: flyers, mailings, newsletters, print publications, neighborhood listserves, neighborhood association website postings, and/or the ANC listserve.

As technological means become available, the following communication tools may be utilized; the City of Austin's website and when feasible email lists maintained by the Planning and Development Review department.

Failure to receive a meeting notice does not invalidate the meeting. However, the provisions of this section must be complied with in good faith. Meetings shall be open to the public.

H. Annual Meetings. The Annual Meeting for the election of Officers shall be held at the date, time, and place of the Regular Meeting in April, or at such other time as may be determined by the Officers of the NPCT Executive Committee. Notice shall be given in accordance with the provisions for providing notice of a regular meeting.

I. Requested Information From Applicant for Initiating a Land Use Matter or Neighborhood Plan Amendment. In connection with any NPCT Executive Committee meeting that is called to initiate a recommendation in a land use matter or Neighborhood Plan Amendment, the applicant is requested to provide the following written and/or electronic materials to the NPCT Executive Committee at least five days prior to the scheduled meeting date at which the case is to be heard:

- 1) a statement of full intent for the proposal; and
- 2) a listing all the regulatory processes that will be needed to legally permit and fully implement the proposal, along with a copy of all supporting materials needed for the application of regulatory processes; and
- 3) a data file in a format specified by the NPCT Chair including the name and mailing address of all current registered owners of properties falling within 300' of any affected property as maintained by Travis County Appraisal District; and
- 4) a map showing building outlines and affected property with indication of the 500' radius, showing current uses, current zoning, and trees 19 caliper inches or greater located on the property; and
- 5) a copy of any deed restrictions for the subject tract; and
- 6) a statement on whether the subject property is a contributing or non-contributing property in any National Register Historic District, is located within a Local Historic District, is an Austin Historic Landmark, or is otherwise protected as a historic property; and

- 7) if for Zoning Change, a complete Zoning Change application and supporting plans or documents as requested; or
- 8) if for Neighborhood Plan Amendment, a complete Neighborhood Plan Amendment application, Future Land Use Maps, both current and proposed, a list of Plan Recommendations obtained from the CWACNP within a radius of 500' around the property, and supporting plans or documents as requested.

J. Reconsiderations. There are no provisions for reconsideration for any specific land use proposals presented by the applicant previously addressed by the NPCT Executive Committee unless ordered by a Land Use Commission or City Council or requested by the NPCT Executive Committee.

SECTION V

Conflicts of Interest

A. Conflict Rules. If a member of the NPCT Executive Committee, has an interest in a development that requires a plan amendment, the NPCT Executive Committee member must follow these rules:

- 1) If a NPCT Executive Committee member has a substantial interest (see below) in a project, the NPCT Executive Committee member cannot participate in any decision concerning the project, including the decision of the NPCT Executive Committee to recommend an application for a plan amendment or the decision to support or not support the project.
- 2) If a NPCT Executive Committee member has a substantial interest in a proposed project, the NPCT Executive Committee member must disclose this interest at the time a plan amendment application is discussed and at the time the recommendation letter for the project is submitted to the Director of the Planning & Development Review Department.
- 3) A NPCT Executive Committee member with a substantial interest in a project may participate in the discussion regarding the proposed amendment. However, participating in the decision regarding that change is not allowed.

B. Definition of Substantial Interest. Substantial interest means:

- 1) A person owns at least a part of or is invested in the property, or the business developing the property.
- 2) If a person has worked for someone involved in the project over the past year.
- 3) If the person has a business that would directly benefit from the project.
- 4) If the person serves on the board of directors, corporate officer, or any other board overseeing the project.

5) If the person owes money to anyone involved in the project.

SECTION VI

Officers

- A. Officers. The officers of the NPCT Executive Committee shall be a Chair, Vice Chair, and Secretary.
- B. Terms of Office. Each officer shall serve a term of one year commencing upon election in April. Notwithstanding any other provision hereof, each officer shall serve until his or her successor is elected and qualified.
- C. Chair. The Chair shall preside over meetings and oversees the running of the NPCT Executive Committee and the affairs of the Central West Austin Combined Neighborhood Plan Contact Team, and shall be responsible for the operation of the NPCT Executive Committee and its officers pursuant to these Bylaws. This shall include preparing an agenda for each meeting in consultation with the other NPCT Executive Committee members, conducting meetings, representing the team at official functions, appointing subcommittees, and generally overseeing the business of the NPCT Executive Committee. The Chair shall have the primary responsibility for coordinating with the City of Austin Implementation Planner(s) on the implementation items in the adopted Central West Austin Combined Neighborhood Plan (CWACNP).
- D. Vice-Chair. The vice-chair shall assist the Chair in preparing meeting agendas and conducting meetings and shall assume all duties of the Chair when required.
- E. Secretary. The secretary shall maintain all written records as required by the City of Austin, including recording and maintaining the minutes, membership records, and contact information on interested parties, and shall produce all written communications as directed by the Chair, or the NPCT Executive Committee members. The prepared minutes should only reflect what was done and not what was said at the meeting. They should not contain the record keepers' or any meeting participant's opinions. The membership records shall include current addresses of NPCT Executive Committee members. The secretary shall submit the current membership of the NPCT Executive Committee annually to the City of Austin Planning and Development Review Department along with contact information and terms of office for any officers.
- F. Election.
1. The officers shall be elected at large by the NPCT Executive Committee members at the Regular Meeting in April. All candidates must be qualified NPCT Executive Committee Members in good standing.
 2. Officers will be elected by the NPCT Executive Committee members, by a majority vote if there are two or fewer candidates, or, a plurality vote if there are three or more candidates.
 3. The secretary will notify the Planning and Development Review Department in writing of the names of the newly elected officers, their contact information, and the date they are due to take office.

G. Removals and Vacancies.

1. Any elected officer may be removed from office for good cause. Removal shall be debated by the NPCT Executive Committee and shall require a two-thirds vote of NPCT Executive Committee members eligible to vote and present at a meeting of the NPCT, providing that a resolution proposing the consideration of the removal has been adopted at a preceding meeting and that notice of the vote for removal has been included in the call to the meeting at which the vote shall take place.

2. Should vacancies occur outside the normal election process, candidates for the unfilled term shall be nominated from the floor and elected at the next scheduled meeting following the vacancy. The person elected to the vacated office will serve for the remainder of the term.

SECTION VII

Parliamentary Procedure

A. Robert's Rules. When not inconsistent with these Bylaws, *Robert's Rules of Order Newly Revised* shall be the parliamentary authority for all matters of procedure. These rules may be suspended at any meeting by a majority vote.

SECTION VIII

Prohibited Actions

A. Political Endorsements. The NPCT shall not endorse any candidates for political office.

B. Finances. The NPCT may not collect or charge dues of its members.

SECTION IX

Adoption and Amendment of Bylaws

A. Adoption. These Bylaws of the Central West Austin Combined Neighborhood Plan Contact Team shall become effective on March 31, 2011.

B. Amendments. These Bylaws may be amended or repealed and new bylaws may be adopted by a two-thirds (2/3) vote of the NPCT Executive Committee Members at any Regular or Special Called Meeting, provided that a resolution proposing the amendment has been adopted at a preceding regular meeting and that notice of the proposed amendment to the bylaws has been given in accordance with the provisions for providing notice of a regular meeting.